

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

HOWARD BROOKS,

Plaintiff,

v.

Case No. 22-C-1102

0-TO-60 LOGISTICS LLC, et al.,

Defendants.

ORDER

Plaintiff Howard Brooks brought this action against Defendants 0-to-60 Logistics LLC, Edmund John Dury, and Danielle Mcquaid, alleging violations of the Fair Labor Standards Act and Wisconsin state law. On May 11, 2023, Plaintiff's counsel filed motions to withdraw. Counsel indicated that Plaintiff's brother advised on April 24, 2023, that Plaintiff died in a car accident on March 31, 2023. They asserted that, as a result of Plaintiff's death, they do not have actual authority to represent him. The court granted the motions to withdraw and advised that Plaintiff's successor or representative was required to file a motion for substitution of party on or before August 9, 2023. *See* Fed. R. Civ. P. 25(a)(1). To date, no motion to substitute has been filed. Consequently, Plaintiff's claims must be dismissed.

IT IS THEREFORE ORDERED that Plaintiff's claims are dismissed with prejudice pursuant to Federal Rule of Civil Procedure 25(a)(1). This case is dismissed. The Clerk is directed to enter judgment accordingly.

Dated at Green Bay, Wisconsin this 30th day of August, 2023.

s/ William C. Griesbach

William C. Griesbach
United States District Judge